

20 attempting to forward said second packet to the network after said replacing;  
receiving workstation packets from a workstation at said packet forwarding system;  
forwarding said workstation packets from said packet forwarding system to the  
network.

33. (New) A method in accordance with claim 32, wherein:

said receiving of said workstation packet are received from another network, said  
network and said another network have separate collision domains.

#### REMARKS

Claims 1, 3-13, 15, 17-23, 25-27 and 29-33 are in this application and are presented for consideration. Claims 1, 15, 17 and 25 have been amended, claims 2, 14, 16, 24 and 28 have been canceled and new claims 29-33 have been added. The claims have been amended in accordance with the Examiner's indication of allowable subject matter, and to improve the style of the application. Applicant thanks the Examiner for indicating allowable subject matter.

Independent claim 15 has been amended to include the features of claim 16. The Examiner has indicated that claim 16 contained allowable subject matter, and it is Applicant's position that amended independent claim 15 now contains allowable subject matter.

New independent claim 31 has been added which includes the features of original claim 14, and the claims from which it depends. The Examiner has indicated that claim 14 contains allowable subject, and it is Applicant's position that new independent claim 31 now also

contains allowable subject and is allowable.

New independent claim 32 includes the features of claim 24, and the claims from which it depends. The Examiner has indicated that claim 24 includes allowable subject matter, and it is Applicant's position that new independent claim 32 also contains allowable subject matter and is allowable.

Claims 29-30 have been added to set forth that the packet forwarding system is connected to two separate networks, where each of the networks has a separate collision domain. Support for this feature can be found in the specification on page 6 lines 8-13.

Claim 1 has been rejected as being obvious over Markkula. Applicant thanks the Examiner for indicating the column and line numbers in Markkula which the Examiner feels corresponds to the features of claim 1.

Applicant notes that claim 1 sets forth the step of creating a packet at the packet forwarding system. Applicant has reviewed Markkula and notes that the portions of Markkula which describe a contention timer and counting down the contention timer field are not performed on a packet which is created at the same location. Claim 1 sets forth that a packet is created at the packet forwarding system and stored in the memory of the packet forwarding system. Claim 1 also sets forth that attempts are made to forward the packet stored in the memory and that the attempting to forward the packet stored in memory is canceled when the time limit is exceeded.

Column 14 lines 13-35 of Markkula describe a contention timer and counting down the contention timer field. However this portion of Markkula clearly indicates that this is

performed in each cell which repeats a packet. Applicant finds no indication in Markkula that a contention timer and the counting down of the contention timer field is performed in a cell which creates a packet. Therefore the step in claim 1 of creating a packet at a packet forwarding system, and then attempting to forward this packet from the same packet forwarding system until a time limit is exceeded, is not present in Markkula. Claim 1 therefore sets forth relationships between method steps that are not taught or suggested in Markkula. These relationships cause claim 1 to define over Markkula.

Applicant has reviewed Markkula, especially the portion concerning the contention timer. It is Applicant's understanding that the contention timer is only used once a packet has been transmitted from its original cell, arrives in a different cell, and before it reaches its final destination cell. It appears that packets in Markkula can take many different paths and therefore may arrive out of order at the final destination. Markkula specifically mentions in column 14, lines 33-35 that the contention timer is used for preventing older packets from arriving and being interpreted as being a new packet. The person of ordinary skill in the art would not be lead by Markkula to use the contention timer and the counting down of the contention timer field in a cell which created a packet. Applicant notes that a cell that creates a plurality of packets would transmit those packets in the required order. There would be no incentive for a cell that creates packets to transmit the packets out of order. Placing a contention timer in a cell creating a packet would not have any effect on preventing older packets from arriving and being interpreted as being a new packet. Therefore Markkula does not provide any incentive to use any contention timer steps in a cell which creates a packet.

Claim 1 therefore cannot be considered obvious over Markkula.

New claims 29, 30 and 33 set forth the step of the packet forwarding system receiving one packet from one network, and transmitting a packet onto a separate network, where the two networks have separate collision domains. Applicant finds no teaching nor suggestion of this in Markkula, and it is Applicant's position that these claims therefore further define over Markkula.

Applicant again thanks the Examiner for indicating allowable subject matter. If the Examiner has any additional questions, comments or requires additional information, the Examiner is invited to contact Applicant's representative by telephone.

At this time, Applicant respectfully requests reconsideration of this application, and based on the above amendments and remarks, respectfully solicits allowance of this application.

Respectfully submitted  
for Applicant,

By: 

Theobald Dengler  
Registration No. 34,575  
McGLEW AND TUTTLE, P.C.

TD:aes/tf  
63186.7

Enclosed: Marked-up version of Amended Claims

DATED: October 30, 2001  
SCARBOROUGH STATION  
SCARBOROUGH, NEW YORK 10510-0827  
(914) 941-5600



SHOULD ANY OTHER FEE BE REQUIRED, THE PATENT AND TRADEMARK OFFICE IS HEREBY REQUESTED TO CHARGE SUCH FEE TO OUR DEPOSIT ACCOUNT 13-0410.

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS EXPRESS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231, NO.: EL212116810US

RECEIVED

McGLEW AND TUTTLE, P.C.  
SCARBOROUGH STATION, SCARBOROUGH, NY 10510-0827

DEC 27 2001

Technology Center 2600

BY: *Kevin Quin Pente* DATE: October 30, 2001

Marked-up version of Amended Claims

1. (Amended) A method for forwarding packets to a network, comprising the steps of:  
providing a packet forwarding system with a memory, said packet forwarding system being connected to the network;  
creating a packet with local data at the packet forwarding system and storing the packet in the memory of the packet forwarding system;  
attempting to forward the packet stored in the memory to the network;  
establishing a time limit within which to forward the packet stored in the memory to the network;  
monitoring an elapsed period of time while attempting to forward the packet stored in the memory to the network; and  
canceling said attempting to forward the packet stored in the memory to the network, and replacing the packet stored in memory with a new packet when the elapsed period of time exceeds the time limit.

15. (Amended) A method for forwarding packets to a network, the method comprising the steps of:  
providing a packet forwarding system with a memory, said packet forwarding system being connected to the network;  
creating a first packet at the packet forwarding system and storing said first packet in said memory of said packet forwarding system;  
attempting to forward said first packet stored in said memory to the network;  
establishing a time limit within which to forward said first packet stored in said memory to the network;  
monitoring an elapsed period of time during said attempting to forward said first packet stored in said memory to the network;  
canceling said attempting to forward said first packet stored in said memory to the network when said elapsed period of time exceeds said time limit and said first packet has not been forwarded;  
creating a second packet at said packet forwarding system after said creating of said first packet, said creating of said second packet including combining data of said first packet with additional data to create data for said second packet;  
replacing said first packet in said memory with said second packet after said canceling;  
attempting to forward said second packet to the network after said replacing.

17. (Amended) A method in accordance with claim ~~{16}~~15, further comprising:  
establishing a time limit within which to forward said second packet stored in said memory to the network;  
monitoring an elapsed period of time during said attempting to forward said second packet stored in said memory to the network;  
canceling said attempting to forward said second packet stored in said memory to the

network when said elapsed period of time exceeds said time limit and said second packet has not been forwarded;

creating a third packet at said packet forwarding system, said creating of said third packet includes combining data of said second packet with additional data to create data for said third packet;

replacing said second packet in said memory with said third packet after said canceling; attempting to forward said third packet to the network after said replacing.

25. (Amended) A method in accordance with claim ~~{24}~~32, wherein:

said forwarding of said workstation packets to the network is interrupted during said attempting to forward said first packet to the network.

{  
}